

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT  
McHENRY COUNTY, ILLINOIS

IN RE THE MATTER OF )  
PROCEDURES IN THE FAMILY )  
DIVISION FOR REMOTE HEARINGS )  
PURSUANT TO THE CONTINUITY OF )  
OPERATIONS COVID-19 )  
PROTOCOLS. )

Family Division  
Standing Order 2020-05

FILED  
MAY - 8 2020  
KATHERINE M. KEEFE  
McHENRY CTY. CIR. CLK.

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IT IS HEREBY ORDERED that while the court continues to operate under the Circuit's Pandemic Continuity of Operations Plan and hearing only essential matters at the courthouse in accordance with local Administrative Orders and the Illinois Supreme Court Order filed under M.R. 30370 on March 17, 2020, the Judges of the Family Division have conferred and agreed to temporarily put in place the following procedure to give litigants an option to request a remote hearing using telephonic or video-conferencing technology.

¶ 1. Method of Remote Hearing. Remote hearings shall only be conducted on a properly filed petition or motion. This Standing Order does not modify, suspend or relieve the duty of any party to file a legally sufficient petition or motion and to properly serve notice to the opposing party in accordance with applicable rules.

¶ 2. Types of Cases. Remote hearings may be sought and scheduled under this Standing Order for cases pending before Judge Mark R. Facchini (CR 361), Judge Jeffrey L. Hirsch (CR 360), Judge Justin M. Hansen (CR 359), and Judge Robert J. Zalud (CR 365). Certain motions may be better suited than others for remote hearings. Well-pleaded motions will aid in the success of the remote hearing process. The Court will attempt to prioritize the motions or cases that are best-suited for a remote hearing and have the highest need.

¶ 3. Request for Remote Hearing.

- a. By agreement. The parties or their attorney(s), and any other court-appointed attorney such as a guardian *ad litem*, shall consult with each other and if there is agreement to proceed with a remote hearing, the

parties shall jointly send an e-mail to the assigned Judge requesting a remote hearing and include the required information, listed below.

- b. Without agreement. If there is no agreement to conduct the hearing remotely, the party seeking to appear or present some of their case remotely shall make their request in writing, including the required information, requested below. The request may be by separate motion or part of the underlying petition or motion.
- c. Submission to the Court. All requests for a remote hearing shall be filed with the Clerk of the Circuit Court and emailed to [FamilyDivision@22ndCircuit.IllinoisCourts.gov](mailto:FamilyDivision@22ndCircuit.IllinoisCourts.gov). All attorneys of record and self-represented litigants with email addresses of record shall be copied on the email. The subject line shall include the case number and the assigned judge's name.
- d. Objections & Response. Upon service of the pleading requesting a remote hearing, any parties who do not agree that a remote hearing is appropriate shall within 3 business days file an objection stating their reasons.

Upon service of the objection, the proponent of the remote hearing shall have 3 business days from the date of service to respond.

All objections and responses shall be filed with the Clerk of the Circuit Court and tendered to the Judge presiding over the case via email to [FamilyDivision@22ndCircuit.IllinoisCourts.gov](mailto:FamilyDivision@22ndCircuit.IllinoisCourts.gov), with copy to all counsel of record or self-represented parties. The subject line shall include the case number and the assigned judge's name.

- e. Required information. For all requests for a remote hearing, whether agreed or contested, the party(ies) seeking a remote hearing shall provide the court with the following information at the time of the request:
  - i. E-mail address and phone number of each attorney and party entitled to notice.
  - ii. The petition or motion for which the remote hearing is being requested, including the date it was served and filed;



- iii. A list of proposed exhibits to be offered and when and how they will be transmitted in a PDF format to the opposing party and the court before the hearing;
  - iv. A list of proposed witnesses and the nature of their expected testimony to be offered and whether any witness will be appearing remotely.
- f. Judge's discretion. The assigned judge will review the request, any objections, and any response, and determine in its discretion whether to grant the request. The judge will take into consideration the nature of the petition or motion, contested issues, and proposed evidence and witnesses. The judge may schedule further argument on the issue if necessary.

If the request is approved, the judge shall enter an order setting a briefing schedule, any appropriate deadlines and a date for the hearing. Thereafter, the judge will provide the parties or their attorneys with the information necessary to access the remote hearing platform (i.e., Zoom, Court Call, etc.).

¶ 4. Remote Hearing Platform. The Court will utilize its discretion to determine the appropriate remote hearing platform, taking into account ease of use, cost, security, and available features.

¶ 5. Party Consultation. Once a request for a remote hearing has been approved, the parties or their attorneys shall use their best efforts and make reasonable attempts to personally confer with each other by telephone to: (a.) formulate and simplify issues, including the elimination of frivolous claims; (b.) identify statutory and case law authority regarding the contested issues; (c.) reach stipulations of fact and admission of documents to avoid unnecessary proofs; (d.) exchange summaries of voluminous documents; (e.) exchange updated financial affidavits and supporting documentary evidence required by local court Rule 11.02; (f.) exchange statutory guideline calculations; and (g.) exchange proposed parenting plans, if applicable.

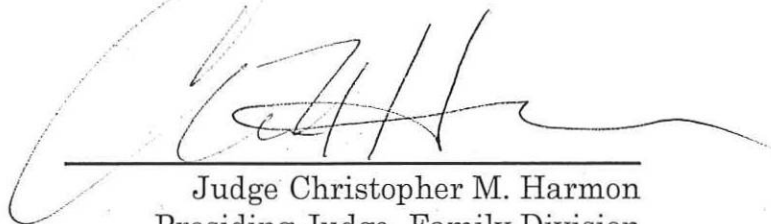
¶ 6. Submissions by Parties. In accordance with the scheduling order, the attorneys shall jointly send an e-mail to the assigned judge with an electronic copy (PDF format) of the following documents: (a.) complete copies of the pleadings, (b.) financial affidavits and any supporting documentary evidence required by local court

Rule 11.02; (d.) stipulations of fact and admission of documents; (e.) statutory guideline calculations for maintenance or child support, as applicable; (f.) proposed parenting plans; (g.) proposed exhibits that either party anticipates using at the hearing; and (h.) statutory and case law authority. All documents shall be indexed and organized in a logical fashion, and should include summaries of voluminous group exhibits.

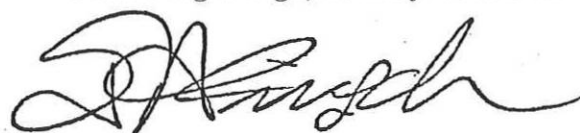
So entered and ordered this 8<sup>th</sup> day of May, 2020.



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Judge Justin M. Hansen



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Judge Christopher M. Harmon  
Presiding Judge, Family Division



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Judge Jeffrey L. Hirsch



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Judge Mark R. Facchini



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Judge Robert J. Zalud